



State Bar of Georgia

PROFESSIONAL LIABILITY INSURANCE COMMITTEE MEETING

Wednesday, January 16, 2019
12:00 Noon
Presidents Board Room
State Bar Headquarters
Atlanta, Georgia

MINUTES

I. Call to Order

At approximately 12:09 p.m. Chair Linley Jones called the meeting to order.

II. Roll Call & Introductions

The following committee members were present: Linley Jones, William T. Clark, Peter Werdesheim, Christine Lupo Mast, R. Gary Spencer, Emerson Carey Jr., and Executive Committee Liaison, David S. Lipscomb.

Committee members Sarah (Sally) B. Akins, Warren R. Hinds, David N. Lefkowitz, Kimberly Cofer Butler and Shannon M. Sprinkle (who joined the meeting later) participated via teleconference.

Committee members William T. Mitchell, William T Davis, and Michael Glenn Frick were not in attendance.

Also present were the following State Bar of Georgia staff members: Executive Director Jeff R. Davis; General Counsel Paula J. Frederick; Deputy General Counsel Jenny K. Mittelman; Deputy General Counsel and staff liaison William D. NeSmith, III and Paralegal Betty Ross Derrickson.

III. Approval of the Meeting Minutes

The January 7, 2019 Professional Liability Insurance Committee meeting minutes were presented to the committee members prior to the meeting. Hearing no objections, the January 7, 2019 meeting minutes stand approved as presented.

IV. Unfinished Business

Member reports on insurance agent interviews

- Paula J. Frederick presented a report prepared by Shannon Sprinkle in her absence. The report reflected her interview with three insurance brokers (two local and one national). A written report was provided to the committee prior to this meeting.
- Warren Hinds reported on his interview with his insurance broker with the Daniels Head Agency in Texas. A written report was provided to the committee prior to this meeting.
- Christine Mast reported on her interview with Aubrey Smith, a former insurance agent with Southern Lawyers. A written report was provided to the committee prior to this meeting.
- Linley Jones reported on her interview with Martha Klocke, her insurance agent with Affinity Insurance. A written report was provided to the committee prior to this meeting.

Copies of the written reports are attached to these minutes as information items only.

Update on the drafting of a proposed rule

Based upon the committee's decision at the January 7, 2019 meeting to recommend a mandatory professional liability insurance requirement to the Executive Committee, General Counsel Paula Frederick presented to the committee a draft of a proposed rule (Rule 1-210). For the committee's information, Ms. Frederick included a proposed disclosure rule that was taken directly from the ABA model rule (the committee previously decided not to recommend this option).

After reviewing the proposed Rule 1-210, the committee suggested modifications, which Ms. Frederick will incorporate.

V. New Business

1. ABA Webinar: Mandatory Professional Liability Insurance, Disclosure and Other Efforts to Insure Attorneys and Protect Public, Jan. 16, at 1:00 – 2:00 pm.

The committee attempted to view the webinar, but because of technical difficulties, was unable to view it in its entirety. Paula J. Frederick indicated she will attempt to arrange for the distribution of the webinar to each committee member at a later date.

2. Spring Board of Governors Meeting – March 29-30 at the Ritz Carlton Lake Oconee

Committee members were invited to attend the above-reference meeting, at which the proposed rule will be presented, so that they can answer questions or discuss the proposed rule with Board members. The committee discussed the timing of presenting its final report and recommendation, noting that Bar President Ken Hodges has told the Board the recommendation will be presented at the Spring Board of Governors meeting. Paula Frederick discussed the need to afford Board

members an opportunity to thoroughly review, consider and discuss the proposed rule with their constituents before having to cast a vote.

It was suggested that instead of having this matter on the Board of Governor's Spring meeting agenda, the committee can conduct a public hearing to discuss any proposed rule.

3. The committee was asked to review the proposed Rule 1-210 and be prepared to give more specific feedback at the next committee meeting.
- VI. The committee decided that the next meeting will be held on Friday, February 1, 2019 at 12:00 noon. The meeting will be held at State Bar Headquarters in Atlanta, Georgia.

There being no further business, the meeting was adjourned at approximately 1:27 p.m.